**PATENT** 

ATTORNEY DOCKET NO.: DIVER1280-10

Applicants:

Short and Keller

Application No.:

09/848,095

Filed:

May 3, 2001

Page 9

## **REMARKS**

Claims 1-55 were pending prior to the filing of this Preliminary Amendment, with claims 5, 46 and 55 being objected to. By the present communication, claims 3-6, 19, 29-32 and 45-46 have been cancelled and claims 1, 13, 20, 23, 26, 28, 39, 44, 47, 48, 50, 51, 54, and 55 have been amended to define Applicants' invention with greater particularity. Accordingly, claims 1, 2, 7-18, 20-28, 33-44, and 47-55 are currently pending.

In view of the above amendments and remarks, Applicants respectfully request withdrawal of all rejections and allowance of the pending claims. If the Examiner would like to discuss any issues remaining in this application, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: May 19, 2003

Lisa A. Haile, J.D., Ph.D.

Registration No.: 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213** 

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133